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March 26, 2021

By ECF

Honorable P. Kevin Castel
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Initial conference is adjourned from April 5, 2021 to
June 28, 2021 at 2:00 p.m.
SO ORDERED.
Dated: 3/26/21

P. Kevin Castel
United States District Judge

Re: Destiny Rolon v. City of New York, et al.
20 Civ. 8621 (PKC)

Your Honor:

I am a Senior Counsel in the Office of the Corporation Counsel of the City of New York, and the attorney assigned to the above-referenced case. Defendants respectfully write to request that the Court adjourn the Initial Conference currently scheduled for April 5, 2021 for a period of at least 90 days to a date convenient to the Court.

This is Defendants' first request for an adjournment of the Initial Conference. The undersigned conferred with Plaintiff's counsel D. Andrew Marshall by telephone on March 24, 2021, and he consents to this adjournment application.

This action was commenced against Defendant City and New York City Police Department ("NYPD") Officer Ryan Ragoobir on October 16, 2020. (See ECF No. 5.) The Complaint, made pursuant to 42 U.S.C. § 1983, alleges *inter alia*, that on July 5, 2019, Plaintiff was falsely arrested in Bronx County and thereafter subjected to an unlawful body cavity search at the NYPD's 44th Precinct. Plaintiff also makes a claim for municipal liability against Defendant City.

As this Court is aware, this case has been designated for participation in Local Civil Rule 83.10. (See Notice of Participation in Local Civil Rule ("LCR") 83.10, ECF Docket Entry dated October 16, 2020.) Pursuant to this Court's Order dated January 7, 2021 (see ECF No. 18), Defendants filed their Answer to the Complaint on March 12, 2021. (See ECF No. 19.)

The requested adjournment is necessary to allow the parties to participate in the accelerated discovery schedule and mediation contemplated by LCR 83.10. In compliance with the Plan, the parties' Initial Disclosures will be served by April 2, 2021, followed by Limited Discovery, which will be served by April 9, 2021. Additionally, the parties learned as recently as

March 25, 2021, that a mediator was assigned to this matter. Therefore, Defendants believe that an Initial Conference is premature at this time.

In conclusion, Defendants respectfully request that the Court adjourn the Initial Conference currently scheduled for April 5, 2021 for a period of at least 90 days to a date convenient to the Court.

Defendants thank the Court for its attention to this matter.

Respectfully submitted,

Corey S. Shoock /s

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cc: D. Andrew Marshall, Esq. (By ECF)
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